

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Commonwealth of Pennsylvania's
Application for Extraordinary Jurisdiction

Civ No. 13-3038

in
Commonwealth of Pennsylvania

v.

Christopher Williams
(No. 88 EM 2013)

UNOPPOSED MOTION TO EXTEND TIME TO RESPOND

Respondent The Defender Association of Philadelphia ("FCDO"¹), by its undersigned attorneys, moves for an extension of time for it to respond to the Commonwealth's Motion to Remand.

1. In this proceeding, the District Attorney of Philadelphia County filed an Application to the Pennsylvania Supreme Court asking that court to exercise its extraordinary jurisdiction and order a hearing to determine whether the Federal Community Defender Organization ("FCDO"), a branch of the Defender's Association, will be allowed to continue to represent capital inmate Christopher Williams in a related, non-capital Pennsylvania Post-

¹ The Defender Association of Philadelphia's Federal Court Division is a Community Defender Organization within the meaning of 18 U.S.C. § 3006A(g)(2)(B). The Federal Court Division of the Defender Association of Philadelphia is often and appropriately referred to as the "Federal Community Defender Organization, Eastern District of Pennsylvania" or "FCDO" for short. For purposes of these proceedings, "FCDO" will denote the Federal Court Division of the Defender Association.

Conviction Relief Act proceeding. The District Attorney's Application suggests that the FCDO's representation of Mr. Williams in state court violates 18 U.S.C. § 3599.

2. On June 3, 2013, the FCDO removed the proceeding concerning the propriety under federal law of the FCDO's representation of Mr. Williams (the "Proceeding") to this Court. Dkt. No. 1.

3. On July 2, 2013, the Commonwealth filed a Motion to Remand providing for service by CM/ECF. Dkt. No. 15. Pursuant to Local Rule 7.1(c), the FCDO must file a brief in opposition within fourteen days after service of the movant's brief. Also, pursuant to Federal Rule of Civil Procedure 6(d), three days are added after the period would otherwise expire under Rule 6(a) where service is completed by electronic means. The FCDO's reply to the Commonwealth's Motion to Remand is therefore due by July 19, 2013.

4. Due to the complex nature and gravity of the issues raised by the Commonwealth's Motion to Remand and attorney schedules, the FCDO requests a seven day extension of time, until July 26, 2013, to respond to the Commonwealth's motion.

5. The requested extension will not prejudice any party.

6. The Commonwealth consents to the requested extension.

WHEREFORE, Respondent requests that this Court grant its Unopposed Motion for Extension of Time until July 26, 2013 and enter the attached Order.

Respectfully submitted,

/s/ David Richman

David Richman
PEPPER HAMILTON LLP
3000 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103
(215) 981-4000
richmand@pepperlaw.com

Patrick Carome (pro hac vice pending)
Paul R.Q. Wolfson (pro hac vice)
Joshua M. Salzman (pro hac vice)
WILMER CUTLER PICKERING HALE
AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000

*Attorneys for the Respondent
Defender Association of Philadelphia*

Dated: July 9, 2013

CERTIFICATE THAT THE MOTION IS UNCONTESTED

I hereby certify that on July 8, 2013, I consulted with counsel for the Commonwealth, Peter Carr, who indicated that the Commonwealth does not oppose the Defender Association's motion for an extension of time.

/s/ Deirdre E. McInerney

CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2013, a true and correct copy of the foregoing Unopposed Motion for Extension of Time will be served upon the following via CM/ECF Notification:

Hugh J. Burns, Jr.
Peter Carr
Philadelphia District Attorney's Office
Three South Penn Square
Philadelphia, PA 19107

/s/ David Richman
David Richman
PEPPER HAMILTON
LLP
3000 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103
(215) 981-4000
richmand@pepperlaw.com

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PROPOSED ORDER

AND NOW, on this _____ day of _____, 2013, the Court hereby GRANTS
Respondent's Unopposed Motion For Extension of Time. Respondent now has until July 26,
2013, to file a response to the Commonwealth's Motion to Remand.

IT IS SO ORDERED.

BERLE M. SCHILLER
United States District Judge